

DEC 05 2005

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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1936-1971

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**FACSIMILE COVER SHEET**

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Ask for sender's secretary.

TO: The Honorable Commissioner  
Attention: Sing P. Chan  
Art Unit 1734

FROM: David H. Brinkman

Fax No.: (571) 273-8300

Phone: (513) 241-2324

Date: December 5, 2005

Fax: (513) 421-7269

Pages (including cover page): 10

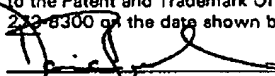
Re: U.S. Serial No. 10/700,142  
PALLET LABELER SYSTEM  
Attorney Docket No. JENK-02A

**ATTACHMENTS/COMMENTS: OFFICIAL**

Please deliver to Sing P. Chan  
Response Transmittal (3 pages)  
Response (6 pages)

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted  
to the Patent and Trademark Office centralized facsimile number (571)  
273-8300 on the date shown below.

  
David H. Brinkman  
Date

December 5, 2005

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I hereby certify that this correspondence is being deposited via facsimile to The Honorable Commissioner in the United States Patent and Trademark Office, Attention: Sing P. Chan whose telephone number is (571) 272-1225 and fax number is (571) 273-8300 on December 5, 2005.

  
David H. Brinkman, Reg. No. 40,532

12/5/05  
Date

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Gary E. Jenkins et al.  
Serial No.: 10/700,142  
Filed: November 3, 2003  
Confirmation No.: 3727  
Group Art Unit: 1734  
Examiner: Chan, Sing P.  
Title: **PALLET LABELER SYSTEM**  
Atty Docket: JENK-02A

Cincinnati, Ohio 45202

December 5, 2005

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.
2.   X   Small Entity status is claimed.  
       Other than a Small Entity.
3. The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		LARGE ENTITY	
Claims Remaining After Amendment		Highest No. Previously Paid For		Extra	Present Rate	Fee	Present Rate	Fee
TOTAL	26	MINUS	26	= 0	x \$25	\$0	x \$50	\$0
INDEP.	4	MINUS	4	= 0	x \$100	\$0	x \$200	\$0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$180	\$0	+ \$360	\$0
TOTALS					TOTAL FEE	\$0	TOTAL FEE	\$0

- ☆ If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 ☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 ☆☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

  X   No additional fee for claims is required.

4. Attached is a check in the sum of \$\_\_\_\_\_.

\_\_\_\_\_ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_\_.

A duplicate copy of this sheet is attached.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

(a) \_\_\_\_\_ Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
___	one month	\$ 120.00	\$ 60.00
___	two months	\$ 450.00	\$225.00
___	three months	\$1,020.00	\$510.00
___	four months	\$1,590.00	\$795.00

\_\_\_ Attached is a check in the amount of \$\_\_\_ for the three month extension fee as required by 37 C.F.R. § 1.17(c).

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

\_\_\_ An extension for \_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_.


OR

(b) XX Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

XX If any additional fee for claims or extension of time is required, charge Account No. 23-3000. A duplicate of this transmittal is attached.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

  
\_\_\_\_\_  
David H. Brinkman  
Reg. No. 40,532

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I hereby certify that this correspondence is being deposited via facsimile to The Honorable Commissioner in the United States Patent and Trademark Office, Attention: Sing P. Chan whose telephone number is (571) 272-1225 and centralized facsimile number is (571) 273-8300 on December 5, 2005.

  
David H. Brinkman, Reg. No. 40,53212/5/05  
Date**RECEIVED  
CENTRAL FAX CENTER  
DEC 05 2005****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Gary E. Jenkins et al.  
Serial No.: 10/700,142  
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Cincinnati, Ohio 45202

December 5, 2005

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE**

Sir:

This Response is submitted in reply to the Office Action mailed on October 3, 2005. Claims 19-26 stand withdrawn from consideration pursuant to a Restriction Requirement raised by Examiner. Claims 1-18 remain pending in the present application. In view of the following remarks, Applicants respectfully submit that